

United States District Court

EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

PRUVIT VENTURES, INC.,

Plaintiff,

v.

ELEVACITY, LLC and ROBERT OBLON,

Defendants.

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CIVIL ACTION NO. 4:18-CV-119
JUDGE MAZZANT/JUDGE JOHNSON

MEMORANDUM ADOPTING REPORT AND RECOMMENDATION OF UNITED STATES MAGISTRATE JUDGE

Came on for consideration the report of the United States Magistrate Judge in this action, this matter having been heretofore referred to the Magistrate Judge pursuant to 28 U.S.C. § 636. On May 21, 2018, the report of the Magistrate Judge (Dkt. #19) was entered recommending that Plaintiff's Motion to Remand (Dkt. 6) be granted in part and denied in part. Specifically, the Report recommended that the matter be remanded to the 296th Judicial District Court of Collin County, Texas, as Cause No. 296-00472-2018. Further, the Report recommended that Plaintiff's request for attorneys' fees and costs be denied.

Having received the report of the United States Magistrate Judge, and no objections thereto having been timely filed, the Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct and adopts the Magistrate Judge's report as the findings and conclusions of the Court.

Accordingly, the Court finds that Plaintiff's Motion to Remand (Dkt. 6) is **GRANTED IN PART** and **DENIED IN PART**, as set forth below:

This case is hereby **REMANDED** to the 296th Judicial District Court of Collin County, Texas, as Cause No. 296-00472-2018, for further proceedings.

IT IS FURTHER ORDERED that Plaintiff's request for attorneys' fees and costs is **DENIED**.

IT IS FURTHER ORDERED that the hearing set for June 27, 2018, before United States Magistrate Judge Kimberly Priest Johnson is hereby **CANCELED**.

IT IS SO ORDERED.

SIGNED this 5th day of June, 2018.

A handwritten signature in black ink, reading "Amos Mazzant", is written over a horizontal line.

AMOS L. MAZZANT
UNITED STATES DISTRICT JUDGE